



PATENT
Docket No. 300622000501

#8

CERTIFICATE OF MAILING BY "FIRST CLASS MAIL"

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to:
Assistant Commissioner for Patents, Washington, D.C. 20231, on April 17, 2002

Vicki L. Andrews

Vicki L. Andrews

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the application of:

Chaitan KHOSLA et al.

Serial No.: 09/852,416

Filing Date: May 9, 2001

For: MACROLIDE ANALOGS

Examiner: To be Assigned

Group Art Unit: 1627

COPY OF PAPERS
ORIGINALLY FILED

REQUEST FOR CORRECTED FILING RECEIPT

Assistant Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

Please furnish the undersigned with a corrected Filing Receipt for the above-identified application. The corrections needed are as follows:

Please correct the priority claims as follows:

This application is a CON of	09/073,538 05/06/1998
which is a CIP of	08/846,247 04/30/1997
which is a CIP of	08/486,645 06/07/1995 PAT 5,712,146
which is a CIP of	08/238,811 05/06/1994 PAT 5,672,491
which is a CIP of	08/164,301 12/08/1993 ABN
which is a CIP of	08/123,732 09/20/1993 ABN
and claims benefit of	60/076,919 03/05/1998
and a CON of	09/311,756 05/14/1999
which is a CON of	09/164,306 10/01/1998 ABN
which is a CIP of	08/896,323 07/17/1997 PAT 6,066,721
which is a CIP of	08/675,817 07/05/1996 PAT 6,080,555
and claims benefit of	60/003,338 07/06/1995

In independent claims, please delete "11" and insert --13--.

In the title, please delete "analog" and insert --analogs--.

A copy of the marked-up Corrected Filing Receipt is also attached.

In the unlikely event that the transmittal letter is separated from this request and the Patent Office determine that a fee is required, application petitions for any required relief including extensions of time and authorizes the Assistant Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to Deposit Account No. 03-1952.

Respectfully submitted,

Dated: April 17, 2002

By:

Brenda J. Wallach
Brenda J. Wallach
Registration No. 45,193

Morrison & Foerster LLP
3811 Valley Centre Drive
Suite 500
San Diego, California 92130-2332
Telephone: (858) 720-7961
Facsimile: (858) 720-5125



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING DATE	GRP ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLAIMS	IND CLAIMS
09/852,416	05/09/2001	1627	2034	300622000501	22	58	113

CONFIRMATION NO. 5252

FILING RECEIPT



OC000000006981044

25225 **KHM**
MORRISON & FOERSTER LLP
3811 VALLEY CENTRE DRIVE
SUITE 500
SAN DIEGO, CA 92130-2332

Date Mailed: 10/26/2001

Receipt is acknowledged of this nonprovisional Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Customer Service Center. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s)

Chaitan Khosla, Palo Alto, CA;
Gary Ashley, Alameda, CA;
Hong Fu, Fremont, CA;
Camilla M. Kao, Palo Alto, CA;
Robert McDaniel, Palo Alto, CA;

WHICH IS A CIP OF 08/896,323 07/17/1997
PAT 6,066,721
WHICH IS A CIP OF 08/675,817 07/05/1996
PAT 6,080,555

RECEIVED

OCT 30 2001

MORRISON & FOERSTER
SAN DIEGO

Domestic Priority data as claimed by applicant

THIS APPLICATION IS A CON OF 09/073,538 05/06/1998
WHICH IS A CIP OF 08/846,247 04/30/1997
WHICH IS A CIP OF 08/486,645 06/07/1995 PAT 5,712,146
WHICH IS A CIP OF 08/238,811 05/06/1994 PAT 5,672,491
WHICH IS A CIP OF 08/164,301 12/08/1993 ABN
WHICH IS A CIP OF 08/123,732 09/20/1993 ABN
AND CLAIMS BENEFIT OF 60/076,919 03/05/1998
AND A CON OF 09/311,756 05/14/1999
WHICH IS A CON OF 09/164,306 10/01/1998 ABN
AND CLAIMS BENEFIT OF 60/003,338 07/06/1995

Foreign Applications

PCT/US98/14911 07/17/1998

If Required, Foreign Filing License Granted 10/17/2001

Projected Publication Date: To Be Determined - pending completion of Corrected Papers

Non-Publication Request: No

DOCKETED Corrected OFR (file)

REMINDER: _____

DUE DATE: 11/26/01FINAL DUE DATE: _____ **RS.**

Early Publication Request: No



Title

Macrolide analogs

Preliminary Class

435

**LICENSE FOR FOREIGN FILING UNDER
Title 35, United States Code, Section 184
Title 37, Code of Federal Regulations, 5.11 & 5.15**

GRANTED

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Office of Export Administration, Department of Commerce (15 CFR 370.10 (j)); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

NOT GRANTED

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).